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**Changes to legislation:** Data Protection Act 2018, SCHEDULE 9 is up to date with all changes known to be in force on or before 01 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 9

Section 86

#### CONDITIONS FOR PROCESSING UNDER PART 4

- 1 The data subject has given consent to the processing.
- 2 The processing is necessary—
  - (a) for the performance of a contract to which the data subject is a party, or
  - (b) in order to take steps at the request of the data subject prior to entering into a contract.
- 3 The processing is necessary for compliance with a legal obligation to which the controller is subject, other than an obligation imposed by contract.
- 4 The processing is necessary in order to protect the vital interests of the data subject or of another individual.
- 5 The processing is necessary—
  - (a) for the administration of justice,
  - (b) for the exercise of any functions of either House of Parliament,
  - (c) for the exercise of any functions conferred on a person by an enactment or rule of law,
  - (d) for the exercise of any functions of the Crown, a Minister of the Crown or a government department, or
  - (e) for the exercise of any other functions of a public nature exercised in the public interest by a person.
- 6 (1) The processing is necessary for the purposes of legitimate interests pursued by—
  - (a) the controller, or
  - (b) the third party or parties to whom the data is disclosed.
  - (2) Sub-paragraph (1) does not apply where the processing is unwarranted in any particular case because of prejudice to the rights and freedoms or legitimate interests of the data subject.
  - (3) In this paragraph, “third party”, in relation to personal data, means a person other than the data subject, the controller or a processor or other person authorised to process personal data for the controller or processor.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13A inserted by [2024 c. 21 s. 31\(4\)](#)
- s. 204(1)(l) inserted by [S.I. 2024/374 Sch. 5 para. 7](#)
- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)